

E-Filed On 11/6/06

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 Attorneys for the Official Committee of Holders of Executory Contract
 Rights through USA Commercial Mortgage Company
 ("Official Committee of Direct Lenders")

UNITED STATES BANKRUPTCY COURT**FOR THE DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:
 USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
 USA SECURITIES, LLC,

Debtor.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case Nos.:

BK-S-06-10725-LBR
 BK-S-06-10726-LBR
 BK-S-06-10727-LBR
 BK-S-06-10728-LBR
 BK-S-06-10729-LBR

**JOINTLY ADMINISTERED
 Chapter 11**

**NOTICE OF ENTRY OF
 STIPULATION AND ORDER
 TO EXTEND PROOF OF
 CLAIM BAR DATE FOR
 DIRECT LENDERS ONLY**

Date: N/A

Time: N/A

1 PLEASE TAKE NOTICE that an Stipulation and Order to Extend Proof of Claim Bar
2 Date for Direct Lenders Only, a copy of which is attached hereto, was entered in the above-
3 captioned matter on the 6th day of November, 2006.

4 DATED this 6th day of November, 2006.

5 GORDON & SILVER, LTD.

6
7 BY: 

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Entered on Docket
November 06, 2006

Hon. Linda B. Riegler
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
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In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC, Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

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JOINTLY ADMINISTERED
Chapter 11

**STIPULATION AND ORDER
TO EXTEND PROOF OF
CLAIM BAR DATE FOR
DIRECT LENDERS ONLY**

Date: N/A
Time: N/A

1 IT IS HEREBY STIPULATED and AGREED, by and between Official Committee of
 2 Holders of Executory Contract Rights through USA Commercial Mortgage Company ("Official
 3 Committee of Direct Lenders") by and through its attorney, the law firm of Gordon & Silver;
 4 Ltd., and USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty
 5 Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital Trust Deed
 6 Fund, LLC (collectively the "Debtors"), by and through their attorneys, the law firms of Ray
 7 Quinney & Nebeker P.C. and Schwartz & McPherson Law Firm; the Office of the United
 8 States Trustee (the "Trustee") by and through August B. Landis; the Official Committee of
 9 Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "First Trust Equity
 10 Holders Committee") by and through its attorneys, the law firms of Stutman Treister & Glatt and
 11 Shea & Carlyon, Ltd.; the Official Committee of Unsecured Creditors of USA Commercial
 12 Mortgage Company (the "Unsecured Creditors Committee") by and through its attorney, the law
 13 firm of Lewis and Roca, LLP; and the Official Committee of Equity Security Holders of USA
 14 Capital Diversified Trust Deed Fund, LLC (the "Diversified Trust Equity Holders Committee")
 15 by and through its attorneys, the law firms of Orrick Herrington & Sutcliffe, LLP and Beckley
 16 Singleton, Chtd. (collectively, the "Parties") the as follows:

17 WHEREAS, on April 13, 2006 (the "Petition Date"), the Debtors filed voluntary petitions
 18 for relief under Chapter 11, Title 11 of the United States Code. The Court approved joint
 19 administration without substantive consolidation on May 9, 2006.

20 WHEREAS, on the Petition Date, USA Commercial Mortgage Company was the servicer
 21 for a portfolio of approximately 115 commercial mortgage loans, with a total balance of
 22 approximately \$962 million. Most loans were funded by multiple parties, with over 3,600 direct
 23 lenders (the "Direct Lenders") holding an interest in one or more loans.

24 WHEREAS, on September 14, 2006, the Court entered an Order Setting Deadline To File
 25 Proofs of Claim And Proofs of Interest ("Bar Date Order") which established November 13,
 26 2006 ("Bar Date") as the last date for individuals and entities, including Direct Lenders, to file a
 27 proof of claim against the Debtors.

28 WHEREAS, Debtors prepared and sent the Direct Lenders aggregated statements for

1 their respective loans for the period from the inception of the loan to June 30, 2006 ("June
2 Statements").

3 WHEREAS, Debtors also sent aggregated statements to Direct Lenders for their
4 respective loans for the period from July 1, 2006 to August 31, 2006 ("August Statements").

5 WHEREAS, after the dissemination of the June Statements and August Statements, it
6 became clear to the Debtors that there were a significant number of Direct Lenders who were
7 still confused about the balances owed them on the loans.

8 WHEREAS, in order to address the continuing confusion and misunderstandings of the
9 Direct Lenders about the balances owed them on the loans, the Debtors have agreed to provide
10 additional explanations to assist Direct Lenders in reading and understanding the June
11 Statements and the August Statements and the information contained in those statements and to
12 conduct an informational session for Direct Lenders as a means of providing these additional
13 explanations.

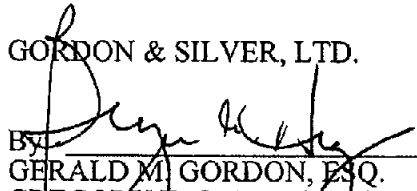
14 WHEREAS, the Debtors, the Official Committee of Direct Lenders, the FTDF
15 Committee, the Unsecured Creditors Committee, the Diversified Trust Equity Holders
16 Committee and the U.S. Trustee's Office have agreed to extend the Bar Date for Direct Lenders
17 only for a period of sixty (60) days through January 13, 2007.

18 NOW, THEREFORE, the Parties hereby stipulate and agree as follows that the Bar Date
19 to file Proofs of Claim is hereby extended through and including January 13, 2007 for the Direct
20 Lenders only.

21 DATED this 2nd day of November, 2006.

22 GORDON & SILVER, LTD.

SCHWARTZER & MCPHERSON LAW
FIRM

23 By: 
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By: /s/ Lenard E. Schwartzer,
LENARD E. SCHWARTZER, ESQ.
JEANETTE E. MCPHERSON, ESQ.

And

RAY QUINNEY NEBEKER, P.S.
ANNETTE W. JARVIS, ESQ.

Attorneys for the Official Committee
of Holders of Executory Contract Rights
through USA Commercial Mortgage Company Attorneys for Debtors

OFFICE OF THE UNITED STATES
TRUSTEE

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STUTMAN TREISTER & GLATT, P.C.

By: /s/ Anne M. Lorditch
MARC A. LEVINSON, ESQ.
LYNN TRINKA ERNCE, ESQ.

By: _____
FRANK A. MEROLA, ESQ.
EVE H. KARASIK, ESQ.
ANDREW M. PARLEN, ESQ.

and

and

BECKLEY SINGLETON, CHTD.
BRETT A. AXELROD, ESQ.
ANNE M. LORDITCH, ESQ.

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JAMES PATRICK SHEA, ESQ.
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of Equity Security Holders of USA
Capital Diversified Trust Deed Fund, LLC

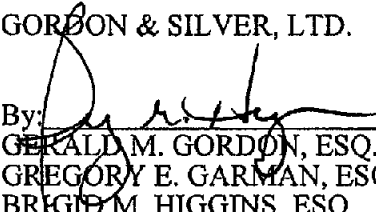
Attorneys for the Official Committee
of Equity Security Holders of USA
Capital First Trust Deed Fund, LLC

ORDER

IT IS SO ORDERED that the Bar Date to file Proofs of Claim is hereby extended through
and including January 13, 2007 for the Direct Lenders only.

PREPARED AND SUBMITTED

GORDON & SILVER, LTD.

By: 
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STUTTMAN TREISTER & GLATT, P.C.

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LYNN TRINKA ERNCE, ESQ.

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FRANK A. MEROLA, ESQ.
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and

and

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of Equity Security Holders of USA
Capital Diversified Trust Deed Fund, LLC

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